

Remarks

Claims 1 and 3 are hereby amended, without disclaimer of or prejudice to the subject matter deleted therein. Support for the amended claims is found in the Specification generally and in the Specification at pages 10-14 in particular, including the definition of R¹ at page 13, lines 7-10. No new matter has been added.

Rejection of Claims 1-7, 10 and 11 under 35 U.S.C. § 112, Second Paragraph

Claims 1-7, 10 and 11 are rejected under 35 U.S.C. § 112, Second Paragraph, “as being indefinite for failing to particularly point and distinctly claim the subject matter which applicant regards as the invention.” (Office Action mailed October 2, 2008 at page 2). Applicant has amended claims 1 and 3 to remove the objectionable language “another Zn-chelating group” thereby obviating the rejection. Accordingly, Applicant requests withdrawal of the rejection of claims 1-7, 10 and 11 under 35 U.S.C. § 112, Second Paragraph.

Rejection of Claims 1-and 6 under 35 U.S.C. § 102(e)

Claims 1 and 6 are rejected under 35 U.S.C. § 102(e) “as being anticipated by Yokoyama, et al., EP 0188094” (Office Action mailed October 2, 2008 at page 3). Applicant has amended claim 1 to remove “C₁₋₆alkyl” from the definition of R⁷ and R⁸ thereby obviating the rejection. Accordingly, Applicant requests withdrawal of the rejection of claims 1 and 6 under 35 U.S.C. § 102(e).

Conclusion

The Commissioner is hereby authorized to charge any deficiency or credit any overpayments necessitated by this Amendment to Deposit Account No. 10-0750/PRD2024USPCT/AGK. Applicant respectfully requests that a timely Notice of Allowance of claims 1-7 and 10-11.

Johnson & Johnson
One Johnson & Johnson Plaza
New Brunswick, NJ 08933-7003
Phone: (732) 524-1495
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Respectfully submitted,

/Alana G. Kriegsman/
By: _____
Alana Kriegsman, Reg. 41,747